

MINUTES OF MEETING  
CASS COUNTY JOINT WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JANUARY 23, 2014

The Cass County Joint Water Resource District met on January 23, 2014, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug and Dan Jacobson, Southeast Cass Water Resource District; Rodger Olson, Maple River Water Resource District; Raymond Wolfer, Rush River Water Resource District; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks and Chris McShane, Attorneys for the Board; Jeff Volk and Chad Engels, Engineers for the Board; Eric Dodds, Advanced Engineering and Environmental Services, Inc.; Bruce Spiller, CH2M HILL Engineers; and Jarrett Christoferson, JAC Predator and Large Pest Control. Manager Michael R. Buringrud, North Cass Water Resource District; was absent.

**Minutes**

It was moved by Manager Jacobson, seconded by Manager Olson and unanimously carried to approve the minutes of the January 9, 2014, meeting, as presented.

**Approval of agenda**

It was moved by Manager Olson, seconded by Manager Jacobson and unanimously carried to approve the order of the agenda, as amended.

**Appointment of Diversion Authority representative and alternate representative**

It was moved by Manager Jacobson and seconded by Manager Wolfer to appoint the following individuals to serve in the designated capacities for calendar year 2014:

Rodger Olson	Diversion Authority representative
Mark Brodshaug	Diversion Authority alternate representative

Upon roll call vote, the motion carried unanimously.

**Metro Flood Diversion Project – access update**

Chris McShane updated the Board on access relating to the Metro Flood Diversion Project. The Corps of Engineers will be requiring access to 3 properties regarding the fish passage structure at the Wild Rice River Dam by spring. Manager Brodshaug reviewed discussion held at the last Southeast Cass Water Resource District meeting

regarding the dam, and said the issue will be discussed again in the future with potential stakeholders.

Mr. McShane said right-of-entry will be required for approximately 90 properties regarding the south alignment and tieback levees on both the North Dakota and Minnesota sides of the project. Access to these properties will be required for an 18-24 month period.

#### **Metro Flood Diversion Project – project update**

Bruce Spiller said design work is ongoing for the Oxbow-Hickson-Bakke Subdivision Ring Levee Project and the in-town levees.

Mr. Spiller said the Water Resources Reform and Development Act bill still continues to work its way through Congress. The Corps of Engineers General will be here to tour the project area on February 3rd, and Diversion Authority Board members will be heading to Washington D.C. the week of February 24th.

#### **Metro Flood Diversion Project – land acquisition**

Mr. Spiller updated the Board on land acquisition relating to the Metro Flood Diversion Project. He distributed maps showing property purchased to-date and proposed property acquisitions regarding the project for the Board's review.

Chairman Brodshaug has been in contact with a couple of property owners that have expressed interest in selling land. He will continue discussing the matter with them and may bring a proposal back to the next meeting.

Jeff Volk asked if mitigation areas are mapped for the project. Mr. Spiller said they have estimated what is needed, but nothing actual at this point. They hope to not have any special purchases for mitigation.

Mr. Spiller presented Task Order No. 1 with ProSource Technologies, LLC for consideration. The Board questioned if the increased amount over what was previously discussed was appropriate. Mr. Spiller indicated he thought it was, due to the amount of time that is needed for acquisition and relocation services.

It was moved by Manager Olson and seconded by Manager Wolfer to approve Task Order No. 1 for appraisal services, which includes the necessary changes for the new estimated cost of acquisition and relocation services, for a total amount of \$784,700, with ProSource Technologies, LLC regarding the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Sean Fredricks discussed a concern raised by Cass Rural Water Users regarding the relocation of utilities for the project. He will coordinate a meeting so Cass Rural Water Users can discuss the issue further with the Diversion Authority, a Water Resource District representative and project management team.

Manager Olson reminded those present of a MnDak Upstream Coalition meeting tonight at 7:00 p.m. in Comstock, Minnesota, where they plan to present their alternatives to the project.

#### **Development of retention projects**

Mr. Engels distributed information regarding detention project development, along with a list of high priority areas identified within Cass County for the Board's review. It was moved by Manager Olson and seconded by Manager Jacobson to proceed with the development of retention projects without State Water Commission funding at this time, contingent on cost-share from the Red River Joint Water Resource District. Upon roll call vote, the motion carried unanimously.

Mr. Engels suggested having discussion on the development of retention projects with each individual Cass County Water Resource District. Manager Wolfer emphasized it is important to get local property owners involved in the process.

#### **Maple River Dam – tree removal project**

Jeff Volk updated the Board on the tree removal project at the Maple River Dam. Industrial Builders, Inc. has nearly completed work and American Enterprises, Inc. estimates work will be complete in approximately 2 weeks.

#### **Reimbursement request #24 from the City of Fargo from funds administered by the State Water Commission, pursuant to SB 2020**

It was moved by Manager Wolfer and seconded by Manager Jacobson to approve reimbursement request #24 from the City of Fargo from funds administered by the State Water Commission, pursuant to SB 2020. Upon roll call vote, the motion carried unanimously.

#### **JAC Predator and Large Pest Control – rates / availability**

Jarrett Christoferson, JAC Predator and Large Pest Control, met with the Board to discuss rate increases and availability. Mr. Christoferson explained his rate increases are due to adding additional staff and the increase in cost of equipment. Rates have not been increased for 4 years.

It was moved by Manager Olson and seconded by Manager Jacobson to approve the *First Amendment to Independent Contractor Agreement* with JAC Predator and Large Pest Control. Upon roll call vote, the motion carried unanimously.

#### **Office issues**

It was moved by Manager Brodshaug and seconded by Manager Olson to approve the salary increases of the Water Resource District Staff, as discussed. Upon roll call vote, the motion carried unanimously.

**Bills**

It was moved by Manager Jacobson and seconded by Manager Wolfer to approve payment of Checks #11116 through #11122, and the wire transfer, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Olson, Jacobson and Wolfer. Manager Buringrud was absent. The Chairman declared the motion passed.

**Adjournment**

There being no further business for the Board to consider, it was moved by Manager Wolfer, seconded by Manager Jacobson and unanimously carried to adjourn the meeting.

APPROVED:

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Mark Brodshaug  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer